

Robert G. Abrams (*pro hac vice*)
 Gregory L. Baker (*pro hac vice*)
BAKER & HOSTETLER LLP
 Washington Square, Suite 1100
 1050 Connecticut Avenue, NW
 Washington, DC 20036-5304
 Telephone: (202) 861-1699
 Facsimile: (202) 861-1783
 Email: rabrams@bakerlaw.com
 gbaker@bakerlaw.com

Lead Plaintiff Class Counsel in MDL No. 2029

Guido Saveri (22349)
 Lisa Saveri (112043)
SAVERI & SAVERI, INC.
 706 Sansome Street
 San Francisco, CA 94111
 Telephone: (415) 217-6810
 Facsimile: (415) 217-6813
 Email: guido@saveri.com
 lisa@saveri.com

Liaison Plaintiff Counsel in MDL No. 2029

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION**

**IN RE ONLINE DVD RENTAL
 ANTITRUST LITIGATION**

Master File No. 4:09-md-2029 PJH

MDL No. 2029

Hon. Phyllis J. Hamilton

**This document relates to the following
 actions:**

~~PROPOSED~~ ORDER

Resnick et al. v. Walmart.com USA LLC,
 4:09-cv-00002-PJH
Lynch et al. v. Walmart.com USA LLC,
 4:09-cv-00138-PJH
Sivek v. Walmart.com USA LLC,
 4:09-cv-00156-PJH
Orozco v. Netflix, Inc., 4:09-cv-00297-PJH
Miscioscia v. Netflix, Inc.,
 4:09-cv-00377-PJH
Weiner v. Walmart.com USA LLC,
 4:09-cv-00398-PJH
Magee v. Netflix, Inc., 4:09-cv-01793-PJH
Caldwell v. Netflix, Inc., 4:11-cv-01928-PJH
Barnett v. Netflix, Inc., 4:11-cv-04328-PJH

~~PROPOSED~~ ORDER, Case No. 4:09-md-2029 PJH

This matter came before the Honorable Phyllis J. Hamilton on Plaintiffs' Report of Settlement Fund Distribution and Request for an Order Authorizing Distribution of Residual Amounts ("Request for Distribution").

IT IS HEREBY ORDERED AS FOLLOWS:

1. Class Counsel is authorized to expend \$48,897.89 of the \$1,478,372.93 remaining in the settlement fund to CashStar to distribute gift cards to the 649,827 claimants with confirmed valid email addresses. Rust is ordered to transfer \$48,897.89 to CashStar.

2. CashStar is ordered to distribute \$3.66 e-gift cards to the 649,827 claimants with confirmed valid email addresses. These e-gift cards will never expire.

3. Upon completion of this email distribution, Rust is ordered to transfer to Walmart the total dollar amount of the gift cards successfully delivered to claimants (over and above the initial 259,858 gift cards that are successfully delivered).

4. After these transfers, Rust Consulting is authorized to distribute the unused reserve funds to the following *cy pres* recipients in equal amounts:

- a. Corporation for Public Broadcasting
- b. International Center for Law & Economics

5. The Court finds that these two *cy pres* recipients will benefit the class and advance the interests of the litigation. *See Lane v. Facebook, Inc.*, 696 F.3d 811, 819 (9th Cir. 2012); *Nachshin v. AOL, LLC*, 663 F.3d 1034, 1036 (9th Cir. 2011); *Chavez v. PVH Corp.*, 2015 U.S. Dist. LEXIS 170422, at *17-18 (N.D. Cal. Dec. 18, 2015).

IT IS SO ORDERED.

Date: November 30, 2016

